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September 25, 2020

VIA ECF

The Honorable Alvin K. Hellerstein, United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Moore, Shanell v. ABM Industries, Inc. et al.,
Case No.: 1:20-cv-02962 (AKH)

Dear Judge Hellerstein:

This firm represents defendants ABM Industries Incorporated, ABM Aviation, Inc., and ABM Parking Services, Inc. (collectively, "ABM") in the above-captioned matter. Pursuant to Your Honor's Individual Practice Rules, we write jointly with counsel for defendant Johnny Descollines ("Descollines") to respectfully request that ABM's time to answer, move or otherwise respond to Descollines' Cross Claims, which is currently due on September 30, 2020, be stayed *sine die* pending the disposition of ABM's Motion to Compel Arbitration of Plaintiff Shanell Moore's Complaint (ECF Nos. 19-23).

ABM alleges that during his employment with ABM, Descollines, like Plaintiff, signed an arbitration agreement, thereby agreeing to arbitrate any claims against ABM. We provided Descollines' counsel with a copy of this arbitration agreement, and requested that he agree to voluntarily submit his Cross Claims to arbitration in accordance with the agreement's terms, or in the alternative, ABM would file a motion to compel arbitration. Descollines alleges that he does not remember signing the agreement and claims he did not read or write English at the time, having just arrived in the United States from abroad. He maintains that he has other defenses that would prevent the enforcement of the agreement against Descollines. The parties have conferred, and agreed that, in the interest of judicial efficiency, and to avoid burdening this Court with additional motion practice, it would be prudent to stay ABM's deadline to respond to the Cross Claims until ABM's currently pending motion to compel arbitration of Plaintiff's Complaint is resolved, without waiving ABM's right to file a motion to enforce Descollines' arbitration agreement (or Descollines' right to challenge it), should that be necessary.

Neither party has made any previous request for a stay. Additionally, the requested stay will not impact any other scheduled dates.

We thank the Court for its consideration of this request, and its attention to this matter.

Respectfully submitted,

/s/ Shira M. Blank

Shira M. Blank

cc: All Counsel of Record (via ECF)